

04-1304

RCE/1600

PTO/SB/30 (05-03)

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Request
For
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|------------------|
| Application Number | 09/603,866 |
| Filing Date | 6/26/00 |
| First Named Inventor | Ashkenazi et al. |
| Art Unit | 1646 |
| Examiner Name | C. Kaufman |
| Attorney Docket Number | P1761R1 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 07-0630

i. ☒ RCE fee required under 37 CFR 1.17(e)

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ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

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iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------------------------|-----------------------------------|----------------|
| Name (Print/Type) | Diane L. Marschang | Registration No. (Attorney/Agent) | 35,600 |
| Signature | <i>Diane L. Marschang</i> | Date | April 12, 2004 |

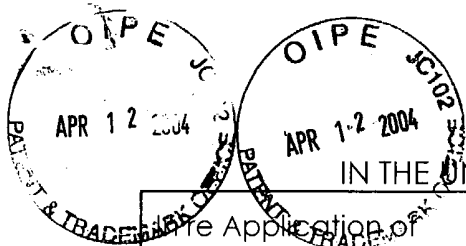
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|---------------------------|------|---------|
| Name (Print/Type) | Diane L. Marschang | Date | 4/12/04 |
| Signature | <i>Diane L. Marschang</i> | | |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Patent Docket P1761R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--|
| Write Application of Avi J. Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: METHODS FOR MAKING APO-2 LIGAND USING DIVALENT METAL IONS | Group Art Unit: 1646 Examiner: Claire M. Kaufman Confirmation No: 2405 Customer No: 09157 CERTIFICATE OF EXPRESS MAILING Express Mail Number: EV351926255US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450". April 12, 2004 <i>Diane L. Marschang</i> Diane L. Marschang |
|---|--|

TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Additional Fees |
|---|---|---|---------------------------------------|------------------|------|--------------------|
| Total | 0 | - | 20 | 0 | 18 | \$0.00 |
| Independent | 0 | - | 3 | 0 | 86 | \$0.00 |
| ___ 0 Multiple dependent claim(s), if any | | | | | 290 | \$0.00 |
| Total Fee Calculation | | | | | | \$0.00 |

____ X

____ X
____ X

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**

Petition for Extension of Time is enclosed.

Request for Continued Examination is enclosed..

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Date: April 12, 2004

Respectfully submitted,
GENENTECH, INC.
By *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



Patent Docket P1761R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of Avi J. Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: METHODS FOR MAKING APO-2 LIGAND USING DIVALENT METAL IONS | Group Art Unit: 1646 Examiner: Claire M. Kaufman Confirmation No: 2405 Customer No: 09157 CERTIFICATE OF EXPRESS MAILING Express Mail Number: EV351926255US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450". April 12, 2004 <i>Diane L. Marschang</i> Diane L. Marschang |
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| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Additional Fees |
|---|---|---|---------------------------------------|------------------|------|--------------------|
| Total | 0 | - | 20 | 0 | 18 | \$0.00 |
| Independent | 0 | - | 3 | 0 | 86 | \$0.00 |
| ___ 0 Multiple dependent claim(s), if any | | | | | 290 | \$0.00 |
| Total Fee Calculation | | | | | | \$0.00 |

 X

 X
 X

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**

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Diane L. Marschang
Diane L. Marschang

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Telephone No. (650) 225-5416

Date: April 12, 2004



Patent Docket P1761R1

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| In re Application of Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: Methods for Making Apo-2 Ligand Using Divalent Metal Ions | Group Art Unit: 1646 Examiner: C. Kaufman Confirmation No. 2405 |
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AMENDMENT

This paper is being filed concurrently with Applicants' Request for Continued Examination (RCE). Entry of the amendment below and consideration of the remarks herein is respectfully requested.

Amendment to the claims begins on page 2.

The **Remarks** section begins on page 5 of this paper.